FULL TEXT OF NOTES EXCHANGED BY THE U.S. AND GERMANY

FIRST U. S' NOTE TO GERMANY

The Secretary of State to the Amertcan Ambassador at Berlin: Please call on the Minister of Foreign Affairs and after reading to him this communication leave with him a

In view of recent acts of the German authorities in violation of American rights on the high seas, which culminated in the torpedoing and sinking of the British steamship Lusitania on May 7, 1915, by which over 100 American citizens lost their lives, it is clearly wise and desirable that the Government of the United States and the Imperial German Government should come to a clear and full understanding as to the grave

full understanding as to the grave dituation which has resulted.

The sinking of the British passenger steamer Falaba by a German submarine on March 28, through which Leon C. Thrasher, an American, citizen, was drowned; the attack on April 28 on the American vessel Cushing by a German aeroplane; the torpedoing on May 1 of the American vessel Gulflight by a German subma-rine, as a result of which two or more American citizens met their death; and finally, the torpedoing and sinking of the steamship Lusi-tania, constitute a series of events which the Government of the United

States has observed with growing concern, distress and amazement.

Recalling the humane and enlightened attitude hitherto assumed by the Imperial German Government in mat-ters of international right and par-ticularly with regard to the freedom of the seas; having learned to recog-nize the German views and the Ger-man influence in the field of international obligation as always en-gaged upon the side of justice and humanity; and having understood the instructions of the Imperial German Government to its naval com-manders to be upon the same plane of humane action prescribed by the naval codes of other nations, the Gov-ernment of the United States was toath to believe—it cannot now bring itself to believe—that these acts, so absolutely contrary to the rules, the practices, and the spirit of modern warfare, could have the countenance or sanction of that great Govern-

Feels Frankness Is Best.

It feels it to be its duty, therefore, to address the Imperial German Government concerning them with the utmost frankness and in the earnest
hope that it is not mistaken in expecting action on the part of the
Imperial German Government which
will correct the unfortunate impressions which have been created and
Mindigate once more the position of Vindicate once more the position of that Government with regard to the sacred freedom of the sea. The Government of the United

States has been apprised that the Imperial German Government con-sidered themselves to be obligated by the extraordinary circumstances of the present war and the measures adopted by their adversaries in seeking to cut Germany off from all commerce, to adopt methods of retalia-tion which so much beyond the ordi-nary methods of warfare at sea, in roclamation of a war zone

to keep away.
This Government has already taken occasion to inform the Im-perial German Government that it cannot admit the adoption of such measures or such a warning of dan-ger, to operate as in any degree an abbreviation of the rights of American shipmasters or of American citizens bound on lawful errands as passingers on merchant ships of belligerent nationality; and that it thust hold the Imperial German Gov-ernment to a strict accountability for any infringement of these rights,

German Government to question those rights. It assumes, contrary, that the Imperial German Government accept as of course the rule that the lives of non-combat-ants, whether they be of neutral citizenship or citizens of one of the nations at war, cannot lawfully rightfully be put in jeopardy by the capture or destruction of an unarmed merchantman, and recognize also, as all other nations do, the obligation to take the usual precau-tion of visit and search to ascertain whether a suspected merchantman is in fact carrying contraband of war under & neutral flag.

Rules of Justice Broken

The Government of the United States therefore desires to call the attention of the Imperial German Government with the utmost earnest-ness to the fact that the objection to their present method of attack the practical impossibility of employing submarines in the destruc tion of commerce without disregarding those rules of fairness, justice and humanity which all modern opinion regards as imperative.

It is practically impossible for the deers of a submarine to visit a merchantman at sea and examine he papers and cargo. It is practically impossible for them to make a prize of her; and if they cannot put a prize crew on board of her they can-not sink her without leaving her crew and all on board of her to the mercy of the sea in her small boats. These facts, it is understood, the Imperial German Government frankly admit.

admit.

We are informed that in the instances of which we have spoken, time enough for even that poor measure of safety was not given, and in at least two of the cases cited not so much as a warning was received. Manifestly submarines cannot be used against merchantmen, as the last few weeks have shown, without an inevitable violation of many sacred principles of justice and humanity.

American citizens act within their indisputable rights in taking their ships and in travelling wherever their legitimate business calls them their legitimate business cans their legit materials and exercise those rights in what should be the well justified confidence that their lives will not be endangered by acts done in clear violation of universally acknowledged international obligations, and certainly in the confidence

There was recently published in the newspapers of the United States, I regret to inform the Imperial Ger-man Government a formal warning man Government, a format warming purporting to come from the Imperial German Embassy at Washington addressed to the people of the United States and stating in effect that any citizen of the United States who exercised his right of free travel upon the real would do so at his peril if the seas would do so at his peril if his journey should take him within the sone of waters within which the Imperial German navy was using submarines against the commerce of

submarines against the commerce of
Great Britain and France, notwithstanding the respectful but very
earnest protest of his Government,
the Government of the United States.
I do not refer to this for the purpose of calling the attention of the
Imperial German Government at this
time to the surprising irregularity of
a communication from the Imperial
German Embassy at Washington adterman to the recoils of the United German Embassy at Washington addressed to the people of the United States through the newspapers, but only for the purpose of pointing out that no warning that an unlawful and inhumane act will be committed can possibly be accepted as an excuse or palliation for that act or as an abatement of the responsibility for its commission.

Long acquainted as this Government has been with the character of the Imperial German Government and with the high principles of equity by which they have in the past been

by which they have in the past been actuated and guided, the Government of the United States cannot believe that the commanders of the vessels which committed these act of lawlessness did so except under a misap-prehension of the orders issued by the Imperial German naval authori-ties.

Expects Disavowal of Acts.

It takes it for granted that, at least within the practical possibili-ties of every such case, the com-manders even of submarines were expected to do nothing that would involve the lives of non-combatants or the safety of neutral ships, even at the cost of failing of their object of capture or destruction. It confidently expects, therefore, that the Imperial German Government will disavow the acts of which the Gov-ernment of the United States com-plains, that they will make reparation, so far as reparation is possible, for injuries which are without measure, and that they will take im-mediate steps to prevent the recurrence of anything so obviously subversive of the principles of warfare for which the Imperial German Gov-ernment have in the past so wisely and so firmly contended.

United States look to the Imperial German Government for just, prompt and enlightened action in this vital matter with the greater confidence because the United States and Gerspecial ties of friendship but also by the explicit stipulations of the treaty of 1828 between the United States and the Kingdom of Prussia

Expressions of regret and offers of reparation in case of the destruction of neutral ships sunk by mistake, while they may satisfy international obligations, if no loss of life results, cannot justify or excuse a practice the natural and necessary effect of which is to subject neutral nations

The Imperial German Government will not expect the Government of the United States to omit any word or any act necessary to the performance of its sacred duty of maintaining the rights of the United States and its citizens and of safeguarding their free exercise and enjoyment.

WASHINGTON, May 13, 1915.

GERMANY'S REPLY TO FIRST NOTE

The Imperial Government has sub-Jected the statements of the United States to careful examination and has a lively wish to contribute in a frank and friendly manner to clear up any misunderstanding which may have entered into the relations between the two Governments through the events mentioned by the Ameri-

With regard to the Cushing and Gulflight incidents the American Em-bassy already has been informed that is far from the intention of the German Government to order attacks by submarines or fliers on neutral chips in the war zone not guilty of any hostile act. On the contrary, most explicit instructions have re-peatedly been given to the German armed forces to avoid attacking such

If neutral ships have come to grief through German submarine warfare during the past few months by mis-take it is a question of isolated and exceptional cases which are traceable to the misuse of flags by the British in connection with carclessness or suspicious actions on the part of ships. In all cases where a neutral ressel through no fault of its own has come to grief through German facts as ascertained by the German Government, this Government has ex pressed its regret at the unfortunate occurrence and has promised indemnification where the facts justified it. Germany will treat the cases of American steamers Cushing American steamers Cushing and Gulflight according to the same principles. An investigation is in prog ress and the results will be communi-

If necessary the investigation can Hague agreement of October 18, 1907.

Warned Falaba Passengers.

In the case of the sinking of the English ship Falaba, the comm intention of allowing the passengers cantain disregarded the order to lay

to and took to flight, sending up ordered the crew and passengers by signal from a magaphone to leave within ten minutes. As a matter of fact he allowed them twenty-three minutes and did not fire a torpedo until suspicious vessels were hurry-ing to aid the Falaba.

With regard to the loss of life

when the British passenger steamer Lusitania was sunk, the German Government already has expressed regret to neutrals concerned nationals of those countries lost deep regret that national their lives. The Imperial Government is unable for the rest to reject tant facts most directly connected with the sinking of the Lusitania may have escaped the attention of the American Government. It therefore considers it necessary in the interests of the clear and full understanding aimed at by both Governments pri-marily to convince itself that the reports of the facts which are before

the two Governments are complete and in agreement. The Government of the United States proceeds on the assumption that the Lusitania is to be considered as an ordinary unarmed merchant vessel. The Imperial Government begs in this connection to point out that the Lusitania was one of the largest and fastest English commercial steamers constructed with Gov-ernment funds as an auxiliary cruiser and is expressly included in the navy list published by the

British Admiralty.

It is moreover known to the Imperial Government from reliable in-formation furnished by its officials and neutral passengers that for some time practically all the more valuable English merchant vessels have been provided with guns, ammunition and other weapons and furnished with crews specially practised in manning guns. According to reports here the Lusitania when she left New York nad guns aboard which were mounted under deck and masked.

The Imperial Government further-nore has the honor to direct the particular attention of the American Government to the fact that the Brit-

GERMAN ANSWER TO OUR SECOND NOTE

BERLIN, July 9 (via London, July 10, Saturday). The text of the German note is as follows:

ultimo re the impairment of American interests by the German national existence. submarine war:

the note how earnestly the Government of the United States tirctions between merchantmen and war vessels have been obliterated by is concerned in seeing the principles of humanity realized in the order to British merchantmen to arm themselves and to ram submarines the present war. Also this appeal finds ready echo in Ger- and the promise of rewards therefor, and neutrals who use merchantmen many, and the Imperial Government is quite willing to permit as travellers thereby have been exposed in an increasing degree to all the its statements and decisions in the present case to be governed by the principles of humanity just as it has done always.

The Imperial Government welcomed with gratitude recalled that Germany had always permitted itself to be gov- a torpedo this would have meant the sure destruction of his own vessel. erned by the principles of progress and humanity in dealing After the experiences in sinking much smaller and less seaworthy vessels with the law of maritime war.

Since the time when Frederick the Great negotiated with John Adams, Benjamin Franklin and Thomas Jefferson the Treaty of Friendship and Commerce of September 9, 1785. between Prussia and the Republic of the West, German and American statesmen have, in fact, always stood together in the struggle for the freedom of the seas and for the protection of peaceable trade.

RIGHTS OF CAPTURE AT SEA.

In the international proceedings which since have been conand America have jointly advocated progressive principles. present war also, to prevent the jeopardizing of lives of American citizens. especially the abolishment of the right of capture at sea and the protection of the interests of neutrals.

Even at the beginning of the present war the German Government imrediately declared its willingness, in response to proposals of the American Government, to ratify the Declaration of London and thereby subject itself

Germany likewise has been always tenacious of the principle that war should be conducted against the armed and organized forces of an enemy definite hope that some way will be found when peace is concluded, or per- to be agreed upon by the naval authorities of both sides. haps earlier, to regulate the law of maritime war in a manner guaranteeing the freedom of the seas, and will welcome it with gratitude and satisfaction if it can work hand in hand with the American Government on that occasion.

Denial of Guilt by German Government.

If in the present war the principles which should be the ideal of the mentioned American steamships. future have been traversed more and more, the longer its duration, the German Government has no guilt therein. It is known to the American Government how Germany's adversaries, by completely paralyzing peaceable traffic between Germany and neutral countries, have aimed from the very beginning and with increasing lack of consideration at the destruction not so much of the armed forces as the life of the German nation, repudiating in doing so all the rules of international law and disregarding all rights of neutrals.

On November 3, 1914, England declared the North Sea a war area, and by on board. planting poorly anchored mines and by the stoppage and capture of vessels made passage extremely dangerous and difficult for neutral shipping, and by actually blocksding neutral coasts and ports, contrary to all international Germany was driven to a submarine war on trade.

On November 14, 1914, the English Premier declared in the House of Commons that it was one of England's principal tasks to prevent food for the German population from reaching Germany via neutral ports. Since mality all merchandise proceeding to Germany, as well as all merchandise coming from Germany, even when neutral property. Just as it was also with the Boers, the German people is now to be given the choice of perishing the Boers, the German people is now to be given the choice of perishing the Boers are taking from feetral ships without further for acquire an a from starvation with its women and children, or of relinquishing its inde-

Submarine Warfare a Necessity.

The President of the United States has declared his readiness, in a way Mille our enemies thus loudly and openly proclaimed war without mercy until our utter destruction, we were conducting a war in self-defence for our national existence and for the sake of peace of an assured permanency. We have been obliged to adopt a submarine warfare to meet the declared intentions of our enemies and the method of warfare adopted by them in contravantions of international law.

would then extend to apply under the identical pro-conditions to these formed to apply under the identical pro-conditions to these formed the identical pro-conditions to these field the individual of the feature in missionary work.

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Bishop Cusac was born in New York is lead to Amery the hold the was proved the sadd to Amery the hold the national existence and for the sake of peace of an assured permanency.

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Bishop Cusac was born in New York on February 22, 1862, of devout Catholic in missionary work.

Bishop Cusac was been the feature in New York of the was principled in missionary work.

Bishop Cusac was been the feature in New York of the peace of the feature in New York of the peace of the sadd to Ame vention of international law.

With all its efforts in principle to protect netural life and property from damage as much as possible the German Government recognized unreservedly in its memorandum of February 4 that the interests of neutrals might suffer from the submarine warfare. However, the American Government will also understand and appreciate that in the fight for existence, which has been forced

upon Germany by its adversaries and announced by them, it is the sacred duty of the Imperial Government to do all within its power to protect and save the lives of German subjects. If the Imperial Government were derelict The undersigned has the honor to make the following reply in these duties it would be guilty before God and history of the violation to his Excellency Ambassador Gerard to the note of the 10th of those principles of highest humanity which are the foundation of e-ery The case of the Lusitania shows with horrible clearness to what leonar

The Imperial Government learned with satisfaction from versaries leads. In the most direct contradiction of international law all disdizing of human lives the manner of conducting war employed by our ad-

Danger to Germans in Lucitania Case.

dangers of war.

If the commander of the German submarine which destroyed the Lusiwhen the American Government, in the note of May 15, itself tanks and caused the crew and passengers to take to the boats before firing t was to be expected that a mighty ship like the Lusitania would remain above water long enough, even after the torpedoing, to permit passengers to enter the ship's boats. Circumstances of a very peculiar kind, especially the presence on board of large quantities of highly explosive materials [word omitted, possibly "dissipated"] this expectation.

In addition it may be pointed out that if the Lusitania had been spared thousands of cases of munitions would have been sent to termany's enemies and thereby thousands of German mothers and childen robbed of bread

Would Install Neutral Steamships.

In the spirit of friendship wherewith the German nation has been imbued toward the Union and its inhabitants since the earliest days of its existence ducted for the regulation of the laws of maritime war, Germany the Imperial Government will always be ready to do all it can during the

The Imperial Government, therefore, repeats the assurances that American ships will not be hindered in the prosecution of legitimate shipping and the lives of American citizens in neutral vessels shall not be placed in

In order to exclude any unforeseen dangers to American passenger steamships, made possible in view of the conduct of maritime war by Gerin the use of its naval forces to all the restrictions provided therein in favor many's adversaries, German submarines will be instructed to permit the free and safe passage of such passenger steamers when made recognizable POPE FINDS NEW POST by special markings and notification is given a reasonable time in advance.

The Imperial Government, however, confidently hopes the American Govcountry, but that the enemy civilian population must be spared as far as ernment will assume to guarantee that these vessels have no contraband on possible from the measures of war. The Imperial Government cherishes the board, details of arrangements for the unhampered passage of these vessels

In order to furnish adequate facilities for travel across the Atlantic for American citizens, the German Government submits for consideration a proposal to increase the number of available steamers by installing in passenger service a reasonable number of neutral steamships under the American flag. the exact number to be agreed upon under the same conditions as the above

The Imperial Government believes it can assume that in this manner adequate facilities for travel across the Atlantic Ocean can be afforded

There would, therefore, appear to be no compelling necessity for American citizens to travel to Europe in time of war on ships carrying an enemy flag. In particular the Im, erial Government is unable to admit that American citizens can protect an enemy ship through the mere fact of their presence

Germany merely followed England's example when see declared part of the high seas an area of war. Consequently, accidents suffered by neutrals on enemy ships in this area of war cannot well be judged differently from law. Long before the beginning of submarine war England practically com- accidents to which neutrals are at all times exposed at the seat of war on pletely intercepted legitimate neutral navigation to Germany also. Thus land, when they betake themselves into dangerous localities in spite of previous warnings.

If, however, it should not be possible for the American Government to March 1 England has been taking from neutral ships without further for- acquire an adequate number of neutral passenger steamships the Imperial

Assurances of "free and safe" passage for American passenger steamers would then extend to apply under the identical pro-conditions to these

omics of the President, and nopes that his efforts in the present case, as well to Rosendale, a post which was considered an honor, but he resigned this a year later to take up more active ward found out that they had bring a year later to take up more active ward found out that they had bring work and went to Yonkers, where he of a boy who was with the cattle buyer. an understanding

Undersigned requests the Ambassador to bring the above to the knowledge of the American Government, and avails himself of the opportunity to renew to his Excellency the assurance of his most distinguished consideration.

many and Great Britain. The Imperial Government furnished at that time ample evidence of its good will by its willingness to consider these proposals. The realiza-tion of these proposals failed on ac-count of their rejection by Great

and markings but even when so dis-guised to attack German submarines High rewards were offered by the SECOND AMERICAN

British Government as a special in-centive for the destruction of submaby merchant vessels, and such rewards already have been paid. In view of these facts, which are satisfactorily known to the Imperial Government, it is unable to consider Britdefended territory" in the zone of war designated by the Admiralty and staff of the Imperial German navy. German commanders consequently are no longer in the position with which they invarfably complied before this.

ish Admiralty by secret instructions in February of this year advised the British merchant marine not only to

seek protection behind neutral flags

Munitions to Kill Germans.

Lastly, the Imperial Government must specially point out that on her last trip the Lusitania, as on earlier occasions, had Canadian troops and last trip the Lusitania, as on earlier occasions, had Canadian trops and munitions of war aboard, including no less than 5,400 cases of ammunition destined for the destruction of brave German soldiers who are fulfilling with self-sacrifice and devotion their duty to the fatherland.

The German Government believes it acts in just self-defence when its soldiers, with the means of war at their command, destroy ammunition destined for the enemy. English steamship companies must have been

steamship companies must have be aware of the dangers to which pas-sengers aboard the Lusitania were exposed in the circumstances. In taking them aboard in spite of this the company deliberately tried to use the lives of American citizens as protection for the ammunition carried and violated the clear provisions of American laws, which expressly prohibit and provide punishment for carrying passengers on ships which have

The company thereby wantonly caused the death of so many passengers. According to the express report of the submarine commander concerned, which is also confirmed by all other reports, there can be no doubt that the rapid sinking of the Lusitania was primarily due to an expense. Lusitania was primarily due to an explosion of her cargo of ammunition caused by a torpedo. Otherwise there was all human probability that the passengers would have been saved. The Imperial Government holds the facts recited to be of sufficient importance to recommend them to careful examination by the American Government. The Imperial Government begs to reserve final statements of its position with regard to the de-

is received from the American Gov ernment and believes it should recall here that it took note with satisfaction of the proposals of good offices submitted by the American Govern-ment to Berlin and London with a view of paving the way for conduct

You are instructed to deliver tex-

tually the following note to the Min-ister of Foreign Affairs:

In compliance with your Excel-lency's request, I did not fall to transmit to my Government, immedia ately upon their receipt, your note of May 28 in reply to my note of sions so far as reached by the Imperial German Government concern-ing the attacks on the American steamers Cushing and Guiffight. I am now instructed by my Govern-ment to communicate the following The Government of the United

States notes with gratification the full recognition by the Imperial German Government, in discussing the man Government, in discussing the cases of the Cushing and the Guif-light, of the principle of the freedom of all parts of the open sea to neutral ships and the frank willingness of the Imperial German Government to acknowedge and meet its liability where the fact of attack whom seat. where the fact of attack upon neutral ships "which have not been guilty of any hostile act" by German aircraft or vessels of war is satisfactorily established, and the Government of the United States will in the Covernment of the Co due course lay before the Imperial German Government, as it requests. attack on the steamer Cushing.

Palaba Case Discussed.

With regard to the sinking of the steamer Falaba, by which an Ameri-can citizen lost his life, the Govern-ment of the United States is surprised to find the Imperial German Gov-ernment contending that an effort on then torpedoed.

the part of a merchantman to escape apture and secure assistance alters he obligation of the officer seeking to make the capture in respect of the safety of the lives of those on board the merchantman, although the vessel had ceased her attempt to escape

warfare, and the Government of the United States does not understand that they have ever been held to

These are not new circumstances. They have been in the minds of statesmen and of international jurists throughout the development of naval

carry a cargo prohibited by the stat-utes of the United States, and that,

NOTE TO BERLIN alter the principles of humanity upon which it has insisted.

Nothing but actual forcible re-sistance or continued efforts to escape by flight when ordered to stop for the purpose of visit on the part of the merchantman has ever been held to forfeit the lives of her pas-sengers or crew. The Government of the United States, however, does not understand that the Imperial Gov-ernment is seeking in this case to relieve itself of liability, but only intends to set forth the circumstances which led the commander of the sub-marine to allow himself to be hurried into the course which he took.

Lusitania Was Not Armed.

Your Excellency's note, in discussing the loss of American lives resulting from the sinking of the steamship Lusitania, adverts at some length to certain information which the Imperial German Government has received with regard to the char acter and outfit of that vessel, and your Excellency expresses the fear that this information may not have been brought to the attention of the Government of the United It is stated in the note that the

Lusitania was undoubtedly equipped with masked guns. supplied with trained gunners and special amn tion, transporting troops from Can-ada, carrying a cargo not permitted under the laws of the United States to a vessel also carrying passengers, and serving, in virtual effect, as an auxiliary to the naval forces of Great Britain. Fortunately these are masters concerning which the Government of the United States is in a continuous to give the Imperial German position to give the Imperial German Government official information.

Of the facts alleged in your Ex-cellency's note, if true, the Government of the United States would have been bound to take official cognizance in performing its recognized duty as a neutral Power and in enforcing its

U. S. Enforced Statutes. It was its duty to see to that the

Lusitania was not armed for offen-sive action, that she was not serving as a transport; that she did not

Great Britain, she should not receive clearance as a merchantman; and it performed that duty and enforced its statutes with scrupulous vigilance through its regularly constituted offi-It is able therefore to assure the

Imperial German Government that it has been misinformed. If the Imperial German Government should vincing evidence that the officials of the Government of the United States thoroughness, the Government of the United States sincerely hopes that it will submit that evidence for consid-

Whatever may be the contentions of the Imperial German Government regarding the carriage of contraband garding the explosion of that material by the torpedo, it need said that, in the view of this Government, these contentions are irrele-vant to the question of the legality of the methods used by the German naval authorities in sinking the ves

Principles of Humanity.

But the sinking of passenger ships involves principles of humanity which throw into the background any special circumstances of detail that may be thought to affect the cases, principles which lift it, as the Imperial German Government will doubt be quick to recognize and acknowledge, out of the class of ordinary subjects of diplomatic discussion or of international contro-Whatever be the other facts re-

garding the Lusitania, the principal fact is that a great steamer, pri-marily and chiefly a conveyance for passengers, and carrying more than a thousand souls who had no part or lot in the conduct of the war, was torpedoed and sunk without so much as a challenge or warning, and that men, women and children were sent to their death in circumstances unparalleled in modern warfare The fact that more than one hundred American citizens were among those who perished made it the duty

of the Government of the Unite once more, with solemn emphasis to call the attention of the Imperia German Government to the grave re-sponsibilities which the Government of the United States conceives that in has incurred in this tragical occur-rence, and to the indisputable principle upon which that responsibility rests.

The Government of the United

States is contending for something much greater than mere rights of property or privileges of commerce. It is contending for nothing less high and sacred than the rights of hu-manity, which every Government honors itself in respecting and which no Government is justified in resign-ing on behalf of those under its care and authority.

The Only Justification.

Only her actual resistance to capture or refusal to stop when ordered to do so for the purpose of visit could have afforded the commander of the submarine any justification for so much as putting the lives of those on

board the ship in jeopardy.

This principle the Government of the United States understands the explicit instructions, issued on August 3, 1914, by the Imperial German Admiralty to its commanders at sea to have recognized and embodied, as do the naval codes of all other nations, and upon it every traveller and seaman has a right to depend. It is upon this principle of humanity, as well as upon the law founded upon this principle, that the United States

The Government of the United States is happy to observe that your Excellency's note closes with the in-timation that the Imperial German Government is willing, now as before, to accept the good offices of the United States in an attempt to come to an understanding with the Government of Great Britain by which the char-acter and conditons of the war upon the sea may be changed. The Gov-ernment of the United States would consider it a privilege thus to serve its friends and the world.

It stands ready at any time to convey to either Government any intima tions or suggestions the other may be willing to have it convey and cor-dially invites the Imperial German Government to make use of its services in this way at its convenience. The whole world is concerned in anything that may bring about even a partial accommodation of interests or in any way mitigate the terrors of the present distressing conflict.

In the meantime whatever arrange-ment may happily be made between the parties to the war, and whatever may in the opinion of the Imperial German Government have been the provocation or the circumstantial justification for the past acts of its commanders at sea, the Government of the United States confidently looks to see the justice and humanity of the Government of Germany vindicated in all cases where Am

have been wronged or their rights as neutrals invaded. The Government of the United States therefore very earnestly and very solemnly renews the representations of its note transmitted to Imperial German Government on the 15th of May and relies in these representations on the principles of hymanity, the universally recognized understanding of international law and the ancient friendship of the

German nation. mation of a war zone, from neutral ships have been warned to keep away, may be made to operate as in any degree an abbrevia the rights either of American ship-masters or of American citizens bound on lawful errands as passengers on merchant ships of belligerent

nationality.

It does not understand the Imperial German Government to question those rights. It understands it also to accept as established beyond question the principle that the lives of non-combatants cannot lawfully nor right-fully be put in jeopardy by the capture or destruction of a non-resisting merchantman, and to recognize the obligation to take sufficient precaution to ascertain whether a suspected merchantman is in fact of beligerent nationality or is in fact carrying contraband of war under a neutral

flag.
The Government of the United States therefore deems it reasonable to expect that the Imperial German Government will adopt the measures necessary to put these principles into practice in respect of the enfeguarding of American lives a ships, and asks for ass

this will be done.

ROBERT LANSING,
Secretary of State ad interim.

FOR BISHOP CUSACK

Appointment to Be Bishop of Albany.

Special Cable Despatch to THE SUN. Paul P. Rhode, auxiliary Bishop of Chicago, to be Bishop of Green Bay.
Wis., and Vicar-General Michael J.
Gallegher of Grand Rapids to be coadju-

The elevation of the Right Rev.
Thomas F. Cusack to be auxiliary
Bishop of New York by Pope Pius N. in
March. 1904. was one of the greatest
surprises to Catholics in this diocese in
many years, although a choice that was
was of money with him.

"We children heard the man was orbottle with the man was orbottle to the countries of the countries o

priest for years and for seven years pre-vious to his elevation to be auxiliary have been about 12 o'clock wh Bishop had been superior of the New heard noises outside and went out themselves especially to Archbishop Farhis administration should be fruitful in

helped the rector of St. Mary's to estab- also was buried in a shallow grave nea

lish his church.

While in Yonkers he worked among the victims of a smallpox epidemic, attending both to their spiritual and physical needs.

Some time after the murder Mrs. Porter and an older sister moved to Quitman, Mo., where Mrs. Porter has lived more than forty when the same spot."

tending both to their spiritual and physical needs.

He attracted such favorable notice from the heads of the diocese that he might have had a church of his own, but he declined this and coming to New York asked permission of Archbishop Corrigan to establish a band of missionaries to work among non-Catholics. He said he believed that the Catholic Church was the "most misunderstood in the world."

In preparation for this new work Father Cusack made an extensive study of anti-Catholic likewise to the following the world with his head in my lap."

DES MOINES IN THE HOVE IN THE TOWN IN THE T

Father Cusack made an extensive study of anti-Catholic literature and amassed one of the most complete collections of these writings in the country. He was the double murder and buried treasure case in which four aged men. Bates Huntsman, Samuel Scrivner and Henry remarkably successful in this missionary and John Damewood, all well work. He had conducted missions in respected citizens of Taylor county, at the South, where he is well known, and to face charges in court next Tuesday has travelled widely. He was assistant at St. Teresa's, Henry street, for ten years.

Was transferred here to-day.

C. A. Robbins, Assistant AttornsyGeneral, came here for a conference

eleven years ago, he said:

"A Bishop? Why, I can't think of practically settled that the compself as ever being other than a missionary process."

pletion of twenty-five years in the priesthood on May 30, 1910, and received large numbers of congratulatory telegrams and letters from all over the country and quantities of flowers and resents. As Bishop he was irrem ole rector of St. Stephen's Church East Twenty-eighth street, near Lexing-

MOTOR TRUCK ON RAMPAGE.

Started by Boys, Runs on Sidewalk and Hits Woman.

Boys meddling with a motor truck which Joseph McKernan of 157 Bedford avenue, Williamsburg, stopped in front of a store at Bedford avenue and North Eighth street yesterday set the engine Home Secretary, speaking at an going and presently the vehicle started. Running on the sidewalk it just grazed phatically that if England does to two men who were passing and then mped into the stoop of a dwelling at 118 North Eighth street. Sea ed on the stoop was Angelina Valvo. 21. who was hit by the truck, and besides being hurt about the head and face, she was stricken with heart trouble.

Germany.

The assessing the desired of the control of the c

WIRELESS DIRECT TO PANAMA. victory new appears an absolute per-

Arlington, Va., Gets Messages From Canal Zone Station. Special Cable Despatch to THE SEN

PANAMA. July 10 .- The wireless plan of the Canal Zone established communi- there was great concern in cation to-day direct with the United Statest rwireless plant at Arlington Va., and began ceiving and sending messages.

The new station means a saving of \$20,000 a year in cable tolls to the United States.

A Russian general told him that it hours the Germans had fired as hours the Germans had fired as thought sufficient for a six months.

WOMAN TELLS OF LONG AGO MURDER

Auxiliary Here Receives the Mrs. Porter Gives Details of the Killing of Cattle Buyer.

St. Joseph, Mo., July 10,-Mrs. Maria ROME, July 10.-The Pope has ap- Porter, who says that as a girl in 1868 pointed the Right Rev. Thomas F. Cu-sack, auxiliary Bishop of New York, to be Bishop of Albany: the Right Rev. tor to Bishop Henry Joseph Richter, and as though it had taken place five with the right to the succession as years ago instead of almost half &

Early in September, 1868, the

many years, although a choice that widely approved and applauded, and one that was made on the recommendation of Cardinal, then Archbishop, Farley.

Father Cueack had been a missionary had been asleep that night and it must had been asleep that night and it must

When he was told of his elevation, with Attorney-General Cosson. According to the second seco

WARNS ENGLAND SHE STILL FACES DEFEAT

1868 was Nathaniel

Home Secretary Tells Nation It Must Do More Than It Has Done.

Special Cable Despatch to Tur 81 s. London, July 10 .- Sir John Sir meeting at Leyton to-day, declar more in the future than she has the past she is going to be defeate

The assertion came after the Hor Secretary had expressed the greatest confidence in the future, saying that He added that this awakening was ab the future than we have done A Russian general told him that thought sufficient for a six months stege.